

**RESPONSES FOR WASTEWATER
SPILLS, OVERFLOWS, AND DISCHARGES
("SPILLS")**

April 15, 1997

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1. Points of contact

Agency	Phone	Fax
Clean Water Branch (CWB)	586-4309	586-4352
Wastewater Branch (WWB)	586-4294	586-4352
<u>Environmental Health Programs (EHP)</u>		
Hawaii District Health Office	933-4371	933-4669
Kauai District Health Office	241-3323	241-3480
Maui District Health Office	984-8234	984-8237
State Hospital Operator (SHO)	247-2191	
Communications Office		586-4444

**2. Spills from any facility into state waters,
excluding R-1 water from recycled water systems**

- a. Applicability. Any wastewater spill which enters into state waters from a public or private wastewater system.

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- (1) "State waters" has the meaning defined in HRS section 341-D, and includes drainage ditches, whether or not water is always flowing in them.
- (2) Exclusion. Spill of R-1 water covered by Appendix J to HAR chapter 11-5, "NPDES General Permit Authorizing Discharges of R-1 Water from Recycled Water Systems". That general permit does not cover spills from treatment works.

b. Immediate notice to DOH. If a spill occurs during working hours:

- (1) The wastewater system owner or its agent (owner/agent) shall immediately notify the CWB of any spill into state waters; and
- (2) If a spill occurs on the neighbor islands, the owner/agent shall also immediately notify their respective district environmental health program chief.

If a spill occurs during non-working hours:

- (1) Contact the state hospital operator; and
- (2) The next working day notify the CWB and the respective district EHP chief with a follow-up call.

c. Press Release. The owner/agent shall immediately send out a press release for spills of a thousand gallons or more and for lesser spills if they present a substantial threat to public health. A press release shall comply with section 7. A press release is not required if the owner/agent demonstrates that the spill was of R-1 water and that BMPs as approved by the director were implemented.

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- d. Disinfection. The owner/agent shall disinfect wastewater which is continuously being spilled into nearshore waters if sufficient disinfection contact time is available. Best judgment should be used in determining the amount of chlorine added to the discharge if chlorine is used as a disinfectant. Disinfection is not required if the owner/agent demonstrates that the spill was either R-1 or R-2 water and that BMPs as approved by the director were implemented.
- e. Warning signs. The owner/agent shall immediately post warning signs in the area(s) likely to be affected by the spill and where public access is possible. Posting of warning signs is not required if the owner/agent demonstrates that the spill was of R-1 water and that BMPs as approved by the director were implemented.

The director shall also assure that a sufficient number of warning signs have been posted and the locations are adequate. Authorization to remove the signs shall also come from the director.

- f. Monitoring. The owner/agent shall conduct bacterial monitoring for any spill greater than 100 gallons or when public health may be threatened in accordance with section 8. Monitoring is not required if the owner/agent demonstrates that the spill was R-1 water and that BMPs as approved by the director were implemented.
- g. Reporting. The owner/agent shall report to the CWB under section 9.a.

3. Spills into state waters of R-1 water from recycled water systems

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- a. Applicability. Any spills of R-1 water covered by Appendix J to HAR chapter 11-55, "NPDES General Permit Authorizing Discharges of R-1 Water from Recycled Water Systems."
 - (1) "State waters" has the same meaning defined in HRS section 342D-1, and includes drainage ditches, whether or not water is always flowing in them.
 - (2) Exclusion. The general permit does not cover spills from treatment works.
- b. Requirements. Among other things, the general permit requires filing a Notice of Intent before any discharge, compliance with standard conditions in appendix A of chapter 11-55, implementation of best management practices (BMPs), monitoring of discharges, avoiding violations of water quality criteria, and specified reporting. The full statement of requirements appears in the general permit.

4. Spills to ground only - with public access

- a. Applicability. Any wastewater spill from a wastewater system onto the ground and that does not enter state waters but is in an area which is or may be accessible to the public.
 - (1) In this appendix, the public includes hotel, apartment, and condominium residents and guests, or condominium apartment owners at their own condominium, and management personnel and building or facility staff, unless the person is specifically an operator of the wastewater system or a manager of the property.
 - (2) In this appendix, areas inaccessible to the public include areas:

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- (a) Confined within a fenced or walled (six foot high with locked gate or door) area; and
 - (b) Contact with the spill is limited to wastewater system operating personnel and management personnel for the property owner or lessee.
 - (3) Exclusion. Spills of R-1 water provided the owner/agent demonstrates that the spill was of R-1 water and that BMPs as approved by the director were implemented.
- b. Immediate notice to DOH. If a spill of a thousand gallons or more occurs during working hours:
- (1) On Oahu, the wastewater system owner/agent shall immediately notify the WWB; or
 - (2) On the neighbor islands, the owner/agent shall immediately notify their respective district EHP chief.
- If a spill of a thousand gallons or more occurs during non-working hours:
- (1) Contact the state hospital operator; and
 - (2) The next working day notify the WWB or on the neighbor islands, the respective district EHP chief with a follow-up call.
- c. Press release. The owner/agent shall immediately send out a press release for spills of a thousand gallons or more, and for lesser spills if they present a substantial threat to public health. A press release shall comply with section 7.

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- d. Disinfection. The owner/agent shall disinfect the wastewater that is spilled onto the ground if the wastewater remains ponded on the ground for any sufficient length of time or if the discharge continues for any significant duration. Disinfection is not required if the owner/agent demonstrates that the spill was R-2 water and that BMPs as approved by the director were implemented.
- e. Warning signs. The owner/agent shall immediately post warning signs in the vicinity of the spill area.
- f. Clean up. All spill sites shall be cleared of all debris and standing wastewater, and disinfected pursuant to section 4.d.

In areas containing standing wastewater which cannot be removed, the owner/agent shall limit public access by having barricades or other means.

- g. Reporting. The owner/agent of a public wastewater system shall report to the WWB as follows:
 - (1) For spills of a thousand gallons or more, the owner/agent shall report to the WWB under section 9.a.
 - (2) For spills less than a thousand gallons, immediate notice and reporting are not required. A tabulated summary of all spills less than a thousand gallons each shall be submitted to the WWB on a quarterly basis in accordance with section 9.b.
 - (3) Exfiltration. Reporting of leaks or breaks in pipelines discovered during inflow/infiltration repair work is not required. These situations are considered exfiltration.

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5. Spills to ground only - with no public access

- a. Applicability. All wastewater spills from any public or private wastewater system that does not enter state waters and are in areas inaccessible to the public.
 - (1) The public and inaccessibility are described in section 4.a.
 - (2) Exclusion. Spills of R-1 water provided the owner/agent demonstrates the spill was of R-1 water and that BMPs as approved by the director were implemented.
- b. Immediate notice to DOH. If a spill of a thousand gallons or more, and for spills occurring more than twice within a 12 month period within the confines or fence line of a wastewater system, the owner/agent shall notify the WWB within 24 hours.
- c. Reporting. For spills of a thousand gallons or more, and for spills occurring more than twice within a 12 month period within the confines or fence line of a wastewater system, the owner/agent shall report to the WWB under section 9.a.
- d. Recording. The owner/agent shall record and tabulate the date and time of the spill, the amount released, the cause(s) for the spill, clean up efforts, and remedial actions taken to prevent future spills for all spills greater than 50 gallons as they happen. The owner/agent shall keep the records and tabulations on site and make the records and tabulation available to the director for inspection and copying.

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6. Spills to ground only - R-1 water only

- a. Applicability. Spills of R-1 water provided the owner/agent demonstrates the spill was of R-1 water and that BMPs as approved by the director were implemented.
- b. Notice to DOH.
 - (1) For spills of a thousand gallons or more occurs, the wastewater system owner/agent shall notify the WWB at least by phone by the end of the next working day. The notice shall provide the information required by section 6.d(1), below.
 - (2) For spills of less than a thousand gallons, but more than fifty gallons, next day notice is not required, but the wastewater system owner/agent shall record the information and report as required by section 6.d.
- c. Warning signs. For spills greater than fifty gallons, the owner/agent shall immediately post warning signs in the vicinity of the spill area.
- d. Reporting. The owner/agent of a wastewater system shall report in writing to the WWB as follows:
 - (1) Information of each spill shall include at least the spill's date, time, location, quantity, the reason for the spill, and any corrective action.
 - (2) For spills more than fifty gallons, a tabulated summary shall be submitted to the WWB each year with the summary report required by section 11-62-28.

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7. Press release

The press release shall describe the location of the spill, the amount of wastewater released, what caused the spill, and what is being done to correct the situation. Also, include a contact person and telephone number (including an after hours/weekend contact). At a minimum, the press release shall be faxed or telephoned to the following:

- a. Associated Press (for radio dissemination);
- b. Major statewide and island newspapers;
- c. Major television news stations;
- d. Department of Health, Communications Office, Oahu
- e. CWB if into state waters, otherwise WWB; and
- f. For neighbor island spills, also include faxing the press release to the respective island DHOs.

8. Monitoring of state waters

Monitoring shall begin as soon as possible and be conducted in the receiving water area affected by the spill. Bacterial monitoring is not required if the owner/agent demonstrates that the spill was of R-1 water and that BMPs as approved by the director were implemented.

For spills entering fresh or brackish waters, the bacterial monitoring shall consist of sampling for the following indicator organisms:

- a. Fecal coliform; and
- b. *Clostridium perfringens*.

For spills entering marine waters, the bacterial monitoring shall consist of sampling for the following indicator organisms:

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- a. Enterococci; and
- b. Clostridium perfringens.

Results of the bacterial monitoring shall be submitted to the director in care of the CWB immediately. Monitoring shall continue until notification to stop is received from the director. With the approval of the director, on a case by case situation, some protocol requirements such as sampling or sign posting may be waived.

The director shall also be informed of the sampling stations and may modify the number of stations and site selection.

The director may require additional bacterial monitoring by the owner/agent to supplement their existing monitoring program, as may be necessary or appropriate.

9. Reporting

- a. When required above, the owner/agent shall submit a written report of the details of the spill within five (5) calendar days of the incident to the director in care of the CWB or WWB as applicable. The director may waive the five day written reporting requirement on a case by case basis provided that the director receives a request for waiver prior to the due date of the report.

The report shall include the date and time of the spill, the amount released, the cause(s) of the spill, location where the spill entered state waters (storm drains, ditches, streams, etc.), clean up efforts, remedial actions to prevent future spills, a summary of the monitoring data, a map of the

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sampling locations and public notification procedures if applicable.

- b. For spills not reported under section 9.a. and when required above, the owner/agent shall tabulate the following information: the date and time of the spill, the amount released, the cause(s) for the spill, clean up efforts, and remedial actions taken to prevent future spills. The owner/agent shall submit each quarter's tabulation to the WWB within 30 days after the quarter.

10. Modifications by the director

With the approval or under the direction of the director, response requirements may be increased, changed, reduced, or eliminated. For example, the director may require the owner/agent to post additional Warning Signs as needed or may assist in the removal of warning signs.

Situation	Immediate Notification to	Press Release ^{1*}	Disinfect ^{**}	Warning Signs [*]	Clean Up ²	Monitor [*]	Follow Up Written Report to
Into State Waters - All Wastewater Systems (Section 2)	CWB or EHP (SOSC/SHO)	yes	yes	yes	no	yes	CWB
Not Into State Waters w/Public Access - Public Wastewater Systems (Section 3) [*]	WWB or EHP (SOSC/SHO) [*]	yes	yes	yes	yes	no	WWB [*]
Not Into State Waters w/Public Access - Private Wastewater Systems (Section 4) [*]	WWB or EHP (SOSC/SHO) [*]	yes	yes	yes	yes	no	WWB [*]
Not Into State Waters w/o Public Access - All Wastewater Systems (Section 5) [*]	WWB [*]	no	yes	yes	yes	no	WWB [*]

*Except for proven R-1 water and BMP Compliance

**Except for proven R-2 water and BMP Compliance

¹If spill greater than or equal to 1,000 gallons or spill may threaten public health

²Or barricade if clean up not possible